

State Written Complaint and Mediation Summary

School Year 2024-2025 (as of May 1)

Monitoring and Compliance Branch Complaints Management

Allison Eby, Educational Specialist, Dispute Resolution

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Introduction to Written Complaints

- A parent, individual, or organization can file a state written complaint
- A complaint can be filed using our model form but does not have to be as long as it has required information, we also have a cover letter on our website with more information
- 1-year statute of limitations
- Investigated by MAC with a 60 calendar day timeline
- The Individuals with Disabilities Education Act (IDEA) does not provide states with an appeal process, if parties disagree, they can file a due process complaint
- [Our Dispute Resolution Website](#)



**HAWAII STATE DEPARTMENT OF EDUCATION
SPECIAL EDUCATION
STATE WRITTEN COMPLAINT FORM**

This form is optional. The asterisk (*) information is required for the state complaint to be processed.

TO: Complaints Management Program
Monitoring and Compliance Branch
P.O. Box 2360
Honolulu, HI 96804
Phone: (808) 307-3600
Email: specialdoomplaints@k12.hi.us

***Complaint Contact Information (Complainant)**
FROM: _____
*Print Name _____
Check one: Parent/Legal Guardian
 Other: _____
*Phone Number _____
*Email Address _____

Student Information (required if you are alleging violation with respect to a specific student)

*Name of Student _____

Date of Birth _____

*Name of Current School _____

*Student's Residential Address** (if applicable) _____

City _____ State _____ Zip Code _____
**If the student is a homeless student or youth, please provide the student's contact information.

Check All Applicable

Yes No Alleged violation occurred not more than one (1) year prior to the date of this written complaint.

Yes No I am an adult student without guardianship and can file a written complaint.

Yes No The student is not an adult. I am the parent or legal guardian who has not had his/her parental rights terminated.

Yes No I am a parent acting as a legal guardian or legal advocate of an adult student.

Yes No I would like to schedule mediation to resolve these concerns.

Yes No The student has a pending due process hearing.

Individuals with Disabilities Education Act (IDEA)/Hawaii Administrative Rules (HAR) Chapter 60 Violation:
Check All Applicable

IDENTIFICATION: Referral process prior to evaluation or determination of eligibility

EVALUATION: Activities involved in information gathering to determine special education eligibility and/or the extent of special education and related service(s) needed by the student

PLACEMENT: The educational setting for the implementation of the Individualized Education Program (IEP)

PROVISION OF A FREE APPROPRIATE PUBLIC EDUCATION: Activities/services related to the IEP

FAILURE TO IMPLEMENT DUE PROCESS HEARING DECISION

OTHER IDEA/HAR CHAPTER 60 RELATED VIOLATION

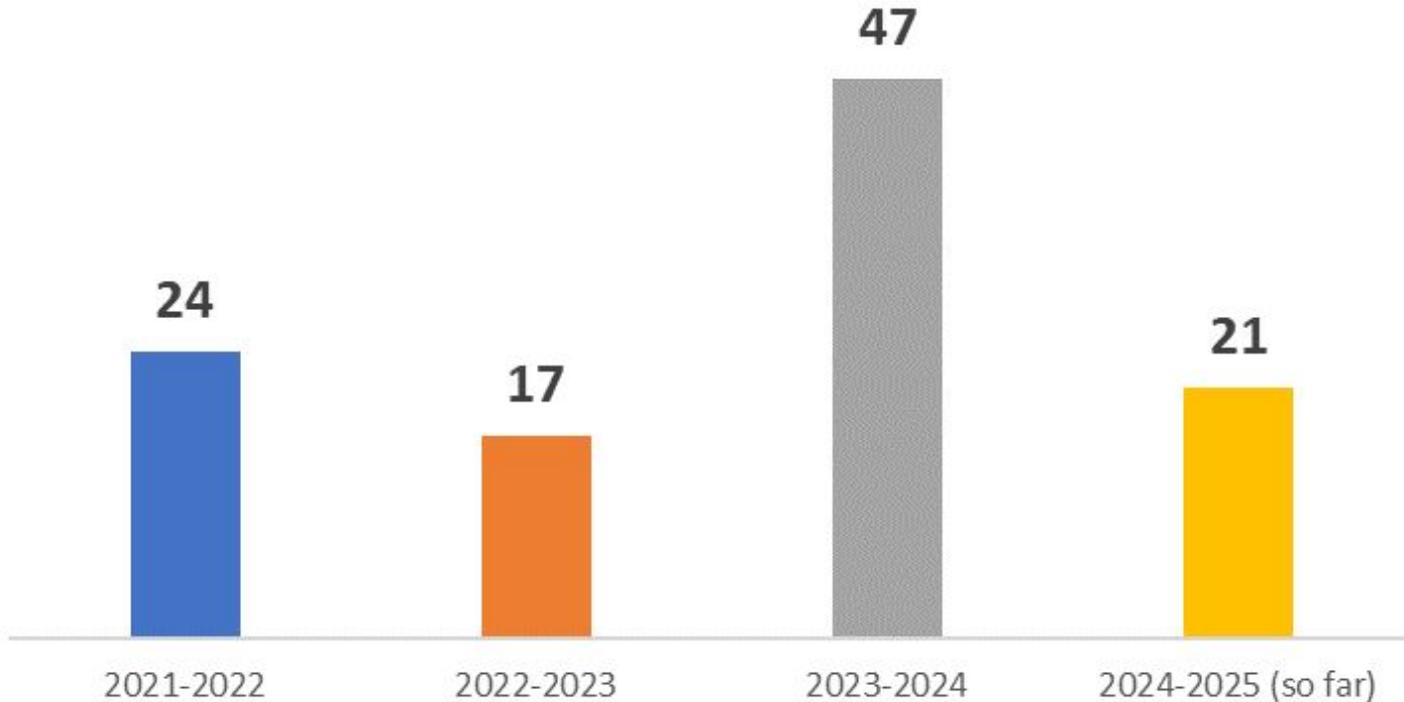
DISTRIBUTION FOR DEPARTMENT USE:
Complex Area Superintendent
District Educational Specialist
Principal, Department's School of Attendance

Special Education State Written Complaint Form
Revised February 2024
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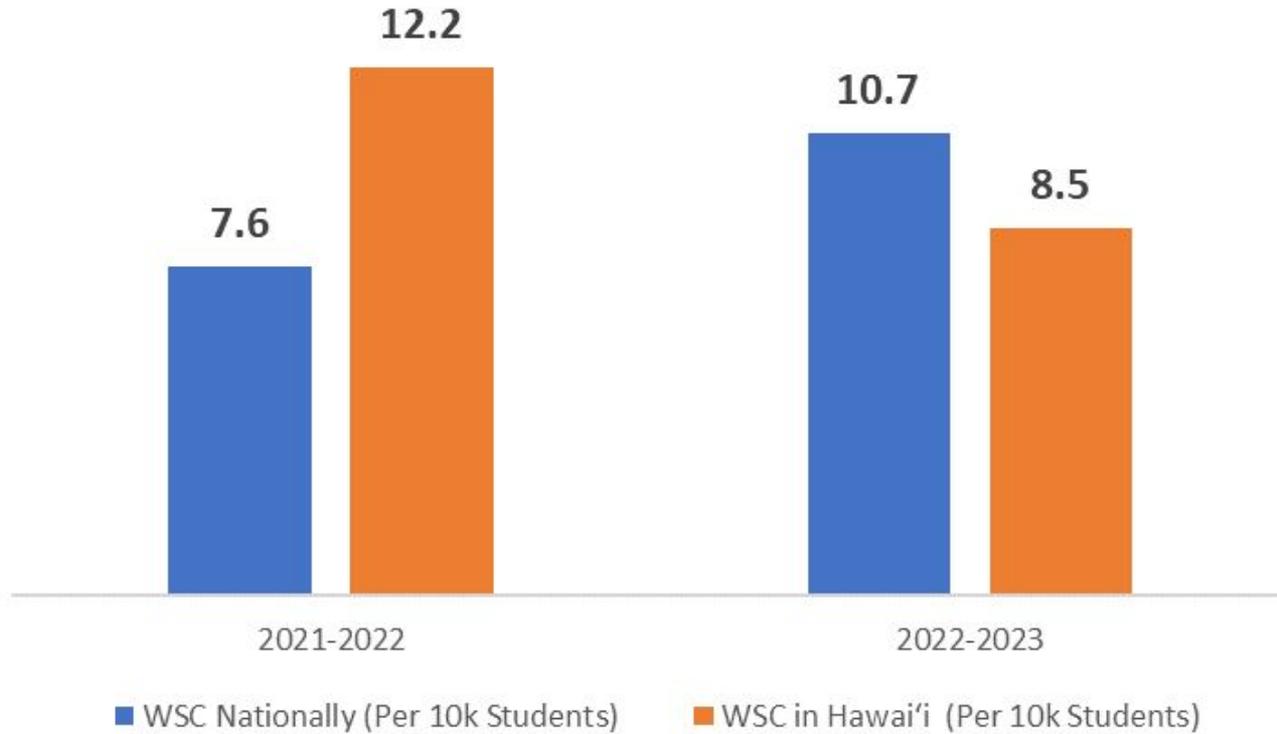
Complaint Trends

Number of State Written Complaints Over Time



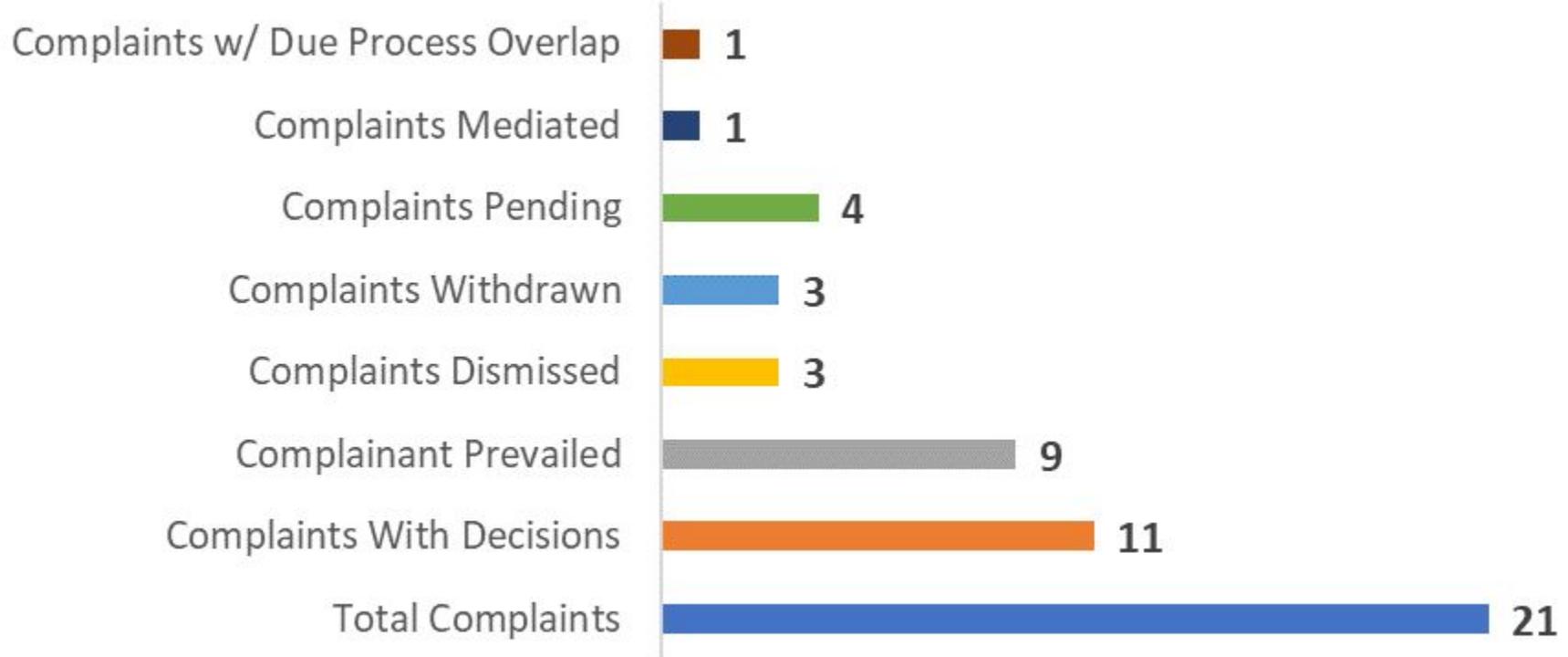


Comparison to National Data





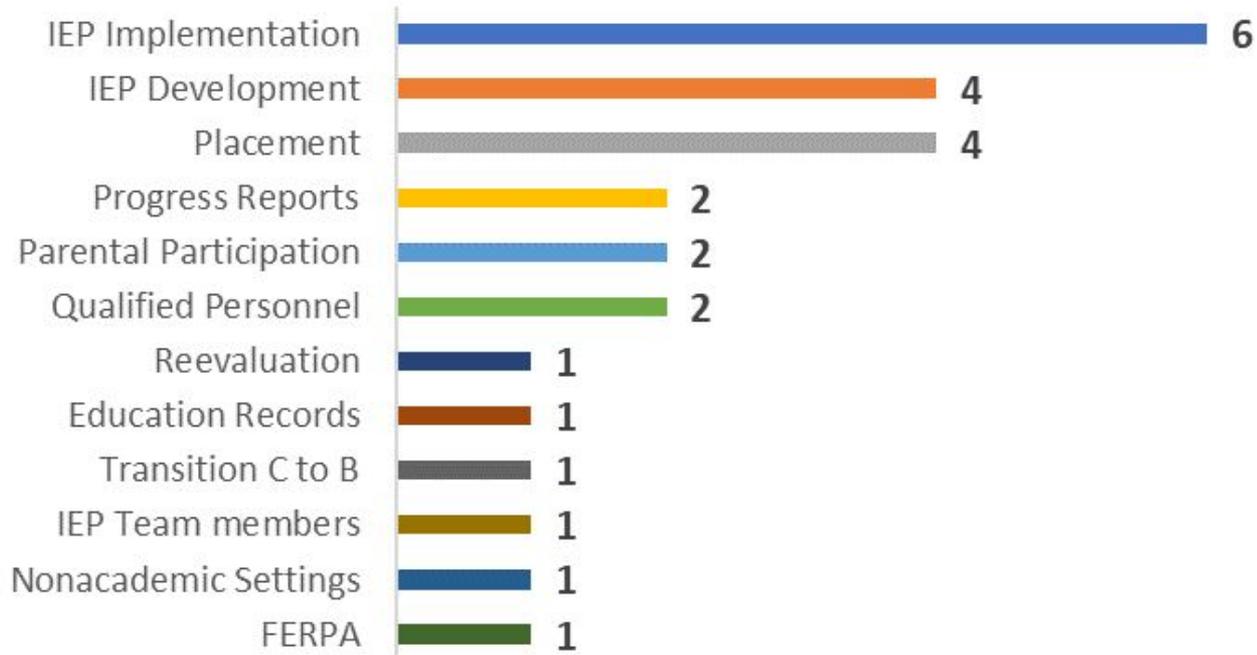
Complaints SY 24-25





Complaint Allegations

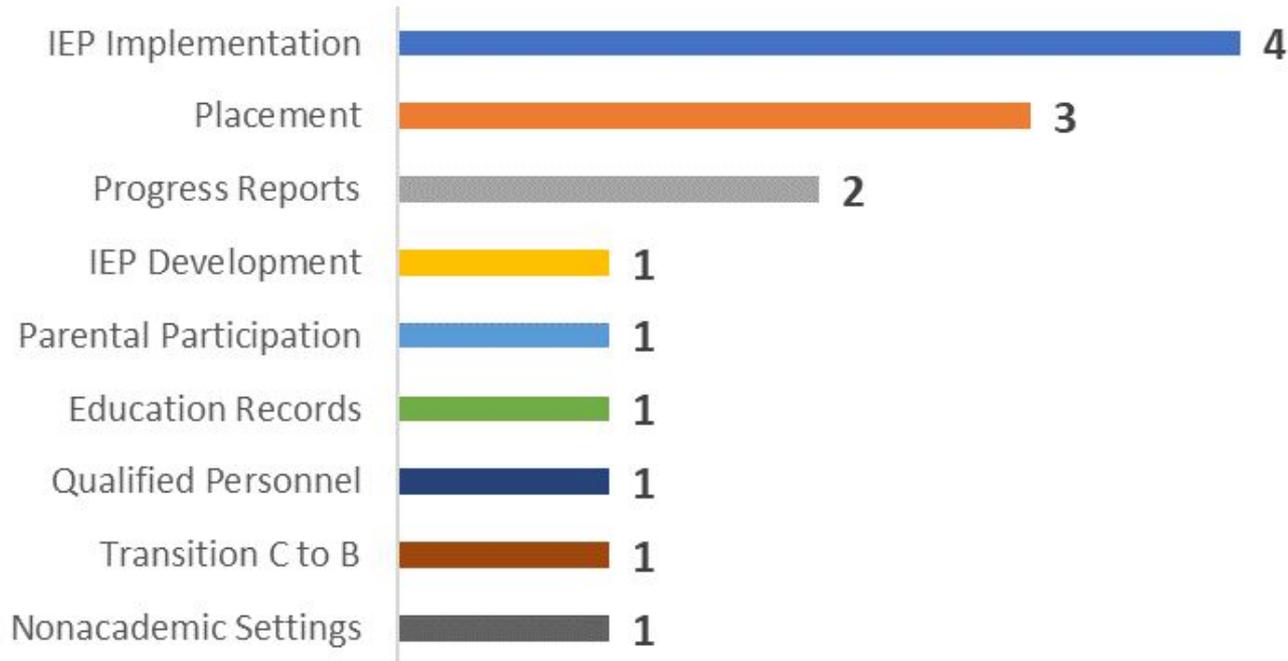
Most Common Allegations





Noncompliance Findings

Most Common Noncompliance Findings





Introduction to Mediation

- Mediation is an impartial problem-solving process that brings together parties to resolve their own disputes related to special education
- Mediation is voluntary
- Facilitated by an impartial mediator
- At no cost to both parties when done through Mediation Center of the Pacific
- Discussions during mediation are confidential
- [Mediation Brochure](#)

Special Education Mediation

Resolving Conflicts Between Parents and Schools



What is Special Education Mediation?

- Special Education Mediation is a voluntary and confidential dispute resolution process used to address any matter related to special education.
- A mediator is a qualified and impartial individual who helps each party to communicate their views and positions in confidence so that the dispute can be resolved in a way that is mutually agreeable.

What are the Benefits of Special Education Mediation?

- Preserves and strengthens relationships between families and school staff.
- Empowers families and school staff to resolve their disagreements.
- Maintains the confidentiality of mediation discussions.
- Legally commits the school and families to the outcomes memorialized in a mediation agreement.
- Ensures no cost to families and schools through the Mediation Center of the Pacific (MCP).

What to Expect?

Request Mediation

- A request for mediation can be through the following:
 - Form: <https://bit.ly/MediationRequestForm>
 - Phone: (808) 521-6767
 - Email: mcp@mediatehawaii.org

Receive Contact from the MCP

- A Client Service Specialist from the MCP will reach out to both parties to identify the issues, explain the mediation process, and answer questions.

Schedule Mediation

- If both parties agree to participate in mediation, a Client Service Specialist will coordinate a session at a mutually agreeable date, time, and location/platform (in-person or video conference).

Participate in Mediation

- A mediator guides the process by encouraging open dialogue, clarifying issues, promoting understanding, and working to reach a mutually acceptable agreement.

Develop Mediation Agreement

- The mediation participants create the outcome of the mediation.
- The mediator memorializes the outcomes in an agreement that is signed by all participants and then becomes legally binding on family and school.

Note: If mediation participants do not reach an agreement, the parties may exercise their right to resolve the matter through the state written complaint or due process complaint procedure. Please refer to the Procedural Safeguards Notice for more information at <https://bit.ly/ProceduralSafeguardNotice>.



THE MEDIATION CENTER
OF THE PACIFIC

Request a no cost mediation session:
www.mediatehawaii.org/special-education
(808) 521-6767
mcp@mediatehawaii.org

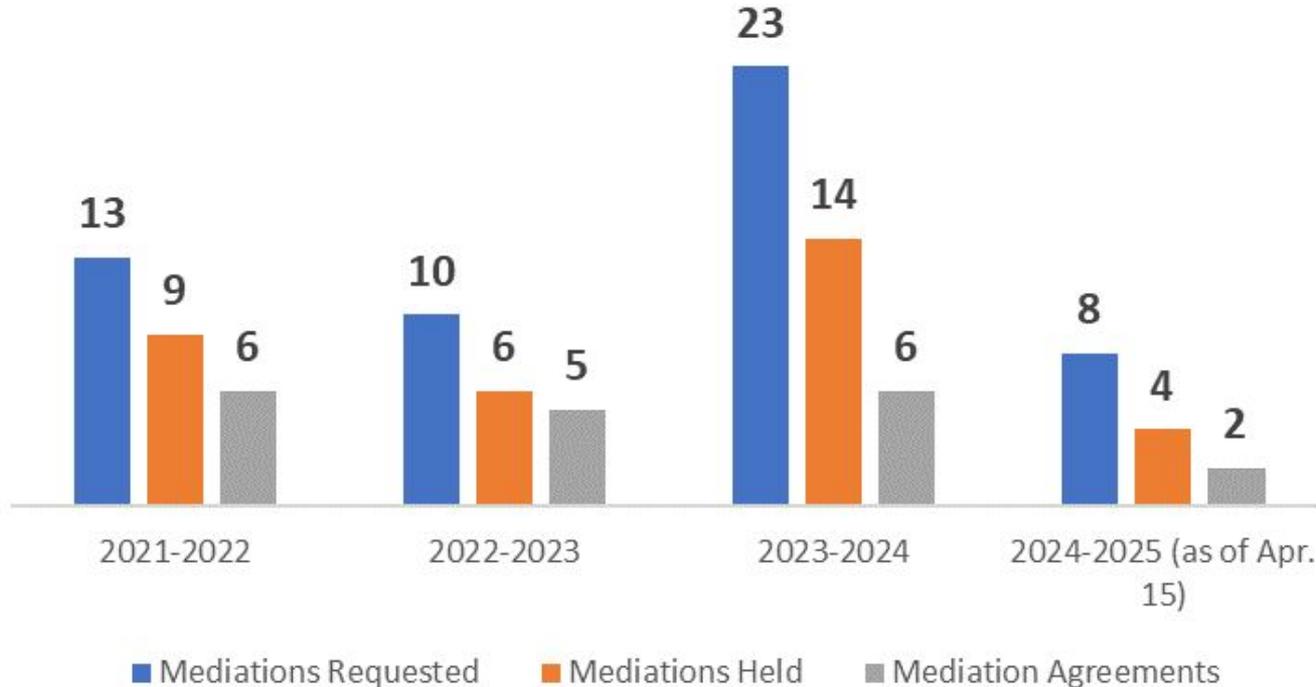
You may also contact the Complaints Management Program via email at specialcomplaints@k12.hi.us or phone at (808) 307-3600 or visit HIDOE's Dispute Resolution Website at <https://bit.ly/DisputeResolutionHIDOE> or use the QR Code.





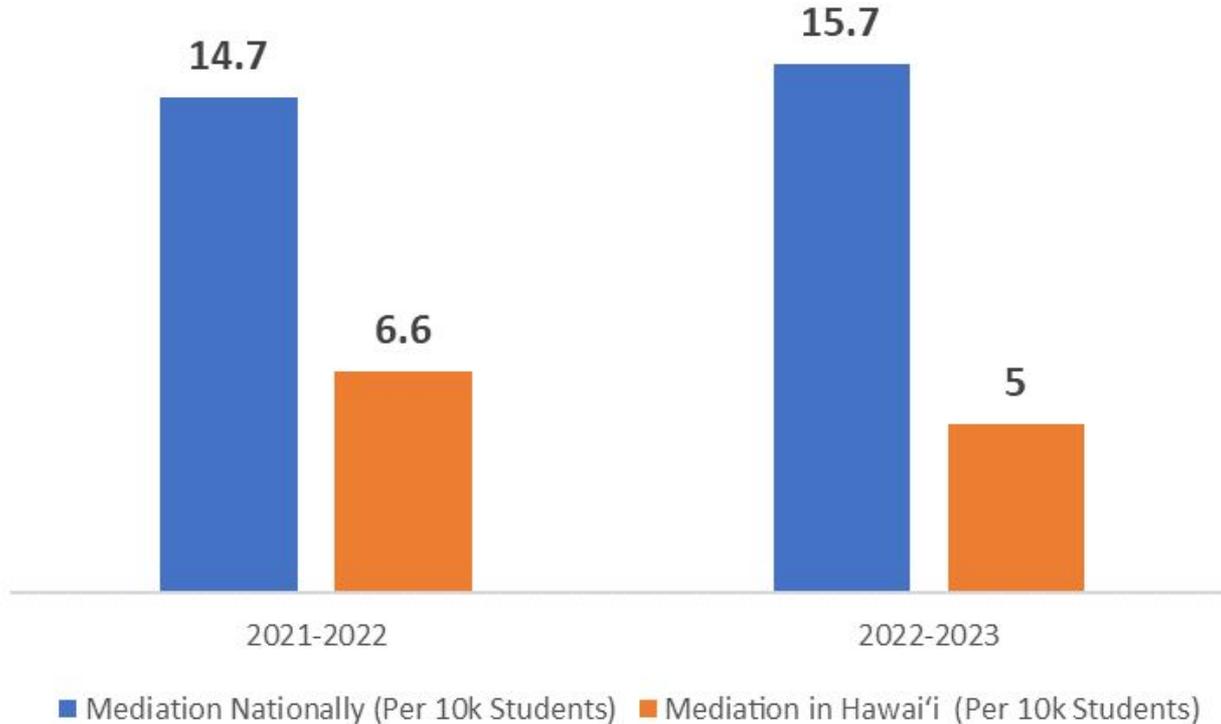
Mediation Trends

Number of Mediations Over Time



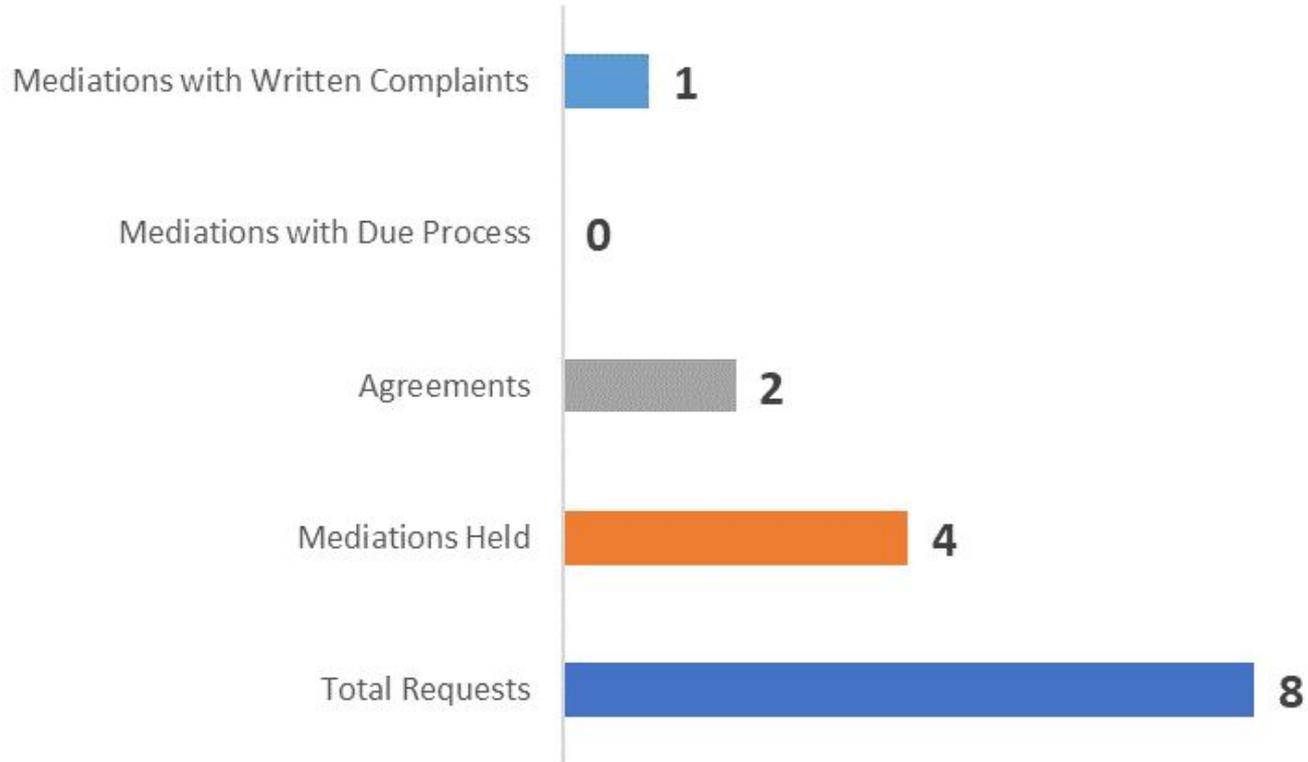


Comparison of National Mediation Requests





Mediation for SY24-25, as of Apr 15





Monitoring and Compliance Complaints Management Program



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